

No. 73224

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 06 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed SEP 06 2005

The applicant **Robert S. & Maria N. Dailey** hereby make application for permission to change the **point of diversion, place and manner of use of a portion** of water heretofore appropriated under **#17967 (Certificate #6102)**

1. The source of water is **underground**
2. The amount of water to be changed **2.0 c.f.s.**
3. The water to be used for **irrigation and domestic**
4. The water heretofore permitted for **irrigation**
5. The water is to be diverted at the following point **within the SW ¼ SE ¼ Section 20, T.25N., R.41E., M.D.M., from which the S ¼ corner of said Section 20 bears S.25°38'W., 139 feet distant.**
6. The existing permitted point of diversion is located within **SW¼ SW¼ Section 20, T.25N., R.41E., M.D.M. from which the SW corner of said section 20 bears S.22°52'30"W., 302.6 feet distant.**
7. Proposed place of use **456.24 acres within portions of NW¼, W½NE¼ and S½, Section 20, T.25N., R.41E, M.D.M.**
8. Existing place of use **301.44 acres within the S½ Section 20, T.25N., R.41E.m M.D.M.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **April 15 to October 1** of each year.
11. Description of proposed works **drilled and cased well (existing); submersible or line shaft pump and motor, storage tanks, pipeline system to interconnected well and pivot sprinkler system.**
12. Estimated cost of works **estimate: \$40,000.00**
13. Estimated time required to construct works **three years**
14. Estimated time required to complete the application of water to beneficial use **five years**

15. Remarks: Applicant intends to fully co-mingle rights under #17967, 23980, and this new point of diversion across the full 456.24 acres within the proposed place of use.

s/ William A. Nisbet
By William A. Nisbet, Agent
421 Court Street
Elko, NV 89801

Compared mt/gkl lt/gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 17967, Certificate 6102, is issued subject to the terms and conditions imposed in said Permit 17967, Certificate 6102, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permit 17967, Certificate 6102; Permits 73224 and 73225 shall not exceed 1824.96 acre-feet for irrigation of 456.24 acres within the described place of use.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

With the issuance of this permit, Permit 72240-T will expire.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0 cubic feet per second, 602.08 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

March 15, 2008

Proof of completion of work shall be filed on or before:

April 15, 2008

Water must be placed to beneficial use on or before:

March 15, 2011

Proof of the application of water to beneficial use shall be filed on or before:

April 15, 2011

Map in support of proof of beneficial use shall be filed on or before:

April 15, 2011

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 15th day of March, A.D. 2006


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____